



**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515-3222**

July 23, 2021

The Honorable Merrick Garland  
Attorney General  
U.S. Department of Justice  
Washington, DC 20530

Dear Attorney General Garland:

I write today demanding answers. During the pandemic, thousands of seniors died untimely deaths because of government mandates that placed COVID-positive patients into nursing homes or prevented seniors from accessing their caregivers. I first called for an investigation into these policies in April 2020 and again as a member of the House of Representatives in February 2021.

To determine whether these policies were negligent and to understand their impact, the Department of Justice (DOJ) rightly opened investigations into several states, including Michigan, New Jersey, Pennsylvania, and New York. It is now my understanding that these investigations have been terminated, without any justification provided publicly and in the absence of any findings being issued to the American people or Congress. On Thursday, July 22, 2021, it was reported that investigations in Pennsylvania and Michigan had been dropped and it is anticipated that New York and New Jersey will soon follow.

On behalf of those I represent in New York's 22nd Congressional District who are still grieving the family members they lost because of these policies, I want to convey to you that terminating these investigations is simply unacceptable. I am profoundly disappointed in this decision and call on you to immediately reconsider your position and reopen these critical inquiries.

During the height of the COVID-19 pandemic, Michigan, New Jersey, Pennsylvania, and New York required nursing homes to accept residents who had been treated for COVID-19 in a hospital. This policy directly resulted in COVID-positive patients being transferred to nursing homes, leading to the deaths of thousands of residents as well as multiple nursing home employees. In New York alone, the New York Department of Health reported that from March 25, 2020 to May 8, 2020, at least 6,326 COVID-positive patients were admitted to nursing homes. This led to at least 6,624 deaths at New York long-term care facilities, over a quarter of the state's COVID-related fatalities during that period. This number is also likely to be a severe undercounting since the state did not report the deaths of residents who died after being transported to a hospital. Cuomo Administration officials have also admitted to misrepresenting or concealing this data when the DOJ investigated last year, a violation of federal law.

There is no question that the civil rights of those residing in nursing homes and long-term care facilities were violated. You and the Department of Justice have an obligation to fully investigate to what extent and issue findings to the American public. We must ensure this never happens again, and we must act to hold individuals accountable for their actions, especially in the event they concealed data. Those I represent are demanding justice, and I stand with them.

Turning a blind eye to the suffering of thousands is unconscionable. If we do not discover the true account of what happened and identify those responsible, we risk repeating this tragedy.

Sincerely,

A handwritten signature in blue ink that reads "Claudia Tenney". The signature is fluid and cursive, with the first name "Claudia" being more prominent than the last name "Tenney".

CLAUDIA TENNEY  
Member of Congress